IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

PETITION NO.203 OF 2004

Re: Sushil Chhedalal Agrawal & anr. ..Debtors.

Ex parte :

Mukesh Popatlal Jain ..Petitioning Creditor.

...

Mr. K.P. Jain for the Petitioning Creditor.
Debtor absent though served.

...

CORAM: DR. D.Y. CHANDRACHUD, J.

19th August, 2006.

P.C. :

The Insolvency Petition is based on a decree passed by the this Court in Summary Suit 1478 of 2003 in the sum of Rs.1,66,635.57 with interest at the rate of 18% per annum on the principal sum of Rs.1,00,000/- from 15th July, 2004 till payment. An Insolvency Notice was issued on 21st August, 2004 which was served on the Debtors on 7th September, 2004. The act of insolvency was complete on 13th October, 2004. The Insolvency Petition has been duly served and an affidavit of service has been filed. There is no reply to the Petition and the Debtors have failed

to appear. In the circumstances, the Insolvency Petition has to be allowed and is accordingly allowed in terms of prayer clauses (a) and (b).